

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

**CARMEN MARRERO HERNANDEZ, et  
al.,**

**Plaintiffs,**

**v.**

**ESSO STANDARD OIL COMPANY  
(PUERTO RICO); CARLOS  
RODRIGUEZ PEREZ,**

**Defendants.**

**CIVIL NO. 03-1485 (GAG)(JA)**

**OPINION AND ORDER**

The court previously determined that the right to jury trial attaches to plaintiffs' claims under SWDA and CWA, while not under CERCLA and RCRA. See Docket No. 737. The parties shall on or before **Friday, February 13, 2009, at 9:00 a.m.**, file simultaneous supplemental briefs (not to exceed 10 pages) discussing this matter, should they disagree with the court's earlier ruling. No extensions will be allowed, except should all the parties request a settlement conference. The parties shall not file any further motions of any type except without prior leave of court. This is intended to allow the parties to adequately prepare for trial without having to respond to last minute "surprise motions" filed days, and as experience in other cases demonstrates, even minutes before the commencement of each trial day.

**SO ORDERED.**

In San Juan, Puerto Rico this 10th day of February, 2009.

*S/ Gustavo A. Gelpi*

GUSTAVO A. GELPI  
United States District Judge